

### **REMARKS**

In Response to the October 28, 2008 Office Action, Applicant amends claims 21-22, 24-30 and 32-34, and cancel claim 23 without prejudice or disclaimer. Applicant adds new claims 35 and 36. No new matter is added. After entry of the amendment, claims 21-22 and 24-36 will be pending, of which claim 21 is independent. Applicant respectfully submits that the presently pending claims are in condition for allowance, and respectfully request that the Examiner pass the claims to allowance.

#### **I. 35 U.S.C. §101 Rejections**

Claims 21-34 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Specifically, the Examiner notes that process claims must be tied to a particular machine or apparatus, or transform underlying subject matter to a different state or thing.

Applicant amends independent claim 21 to recite that the method is “performed in a computer system,” and further to recite “storing the decision tracking object model in an object model database on a computer readable storage medium.” Applicant respectfully submits that this amendment addresses the Examiner’s concerns regarding independent claim 21. Claims 22-36 depend from claim 21, and therefore include the patentable elements of claim 21.

Further, Applicant amends dependent claim 22 to recite that the users interact with the objects “via a graphical user interface on a display device,” and that the users interact with the graphical user interface “using an input device.” Therefore, claim 22 is further tied to a particular machine or apparatus.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the 35 U.S.C. §101 rejection of claims 21-22 and 24-34. As claim 23 is canceled herein, Applicant respectfully submits that the rejection of claim 23 is moot.

#### **II. 35 U.S.C. §102(b) Rejections**

The Examiner rejects claims 21-34 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,517,405 to McAndrew (hereafter “McAndrew”). Claims 21-34 are further rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,842,195 to Peters (hereafter “Peters”), and by U.S. Patent No. 5,930,764 to Melchoine (hereafter “Melchoine”). Applicant respectfully traverses these rejections.

The Examiner suggests that claim 1 is “broad and generic,” and that “ANY teaching of a computerized decision support system with a user interface reads on claim 21’s current claim language” (Office Action at page 3). In order to expedite prosecution of the Application, and without acceding to the Examiner’s remarks, Applicant amends claim 21 to clarify aspects of the invention. For example, claim 21 is amended to recite *providing a decision tracking object model comprising the question object, the answer object, the decision object, and the design issue object*.

McAndrew is generally directed to a problem solving expert system for managing the health care of individual patients. A user enters a description of a problem and a proposed solution via a user interface. While McAndrew appears to describe “problems” and proposed “solutions,” McAndrew does not provide a *decision tracking object model*, as recited in independent claim 21.

Peters is generally directed to a system for obtaining information from a plurality of users. In Peters, a survey author may input data, and a survey questionnaire may be constructed. Responses may be collected and loaded into a database. While Peters appears to describe “questions” and “responses,” Peters does not provide a *decision tracking object model*, as recited in independent claim 21.

Melchoine is generally directed to a sales process support system and method for identifying sales targets. Information related to target households is stored in a database, and is used to generate sales leads. Melchoine does not provide a *decision tracking object model*, as recited in independent claim 21.

Accordingly, the cited references fail to disclose each and every element of independent claim 21. Claims 22 and 24-34 depend from independent claim 21, and therefore include each and every element of claim 21. Therefore, Applicant respectfully requests that the Examiner reconsider and withdraw the 35 U.S.C. §102(b) rejections of claims 21-22 and 24-34. As claim 23 is canceled herein, Applicant respectfully submits that the rejection of claim 23 is moot.

**CONCLUSION**

In view of the foregoing remarks, Applicant respectfully requests timely allowance of this application.

Please charge any shortage or credit any overpayment of fees to our Deposit Account No. 12-0080, under Order No. PAS-256. In the event that a petition for an extension of time is required to be submitted herewith, and the requisite petition does not accompany this response, the undersigned hereby petitions under 37 C.F.R. §1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized to be charged to the aforementioned Deposit Account.

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Respectfully submitted,

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